

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

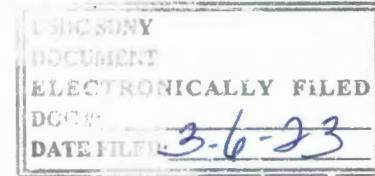
MARIAM DAVITASHVILI, *et al.*,

Plaintiffs,

v.

GRUBHUB INC., UBER TECHNOLOGIES,  
INC., and POSTMATES INC.,

Defendants.



Civ. No. 1:20-cv-03000-LAK

*MEMO ENDORSED*

**JOINT STIPULATION AND [PROPOSED] ORDER  
REGARDING THE PARTIES' MODIFIED SCHEDULING ORDER**

Plaintiffs Mariam Davitashvili, Adam Bensimon, Phil Eliades, Jonathan Swaby, John Boisi, Nate Obey, and Malik Drewey (collectively, "Plaintiffs"), individually and on behalf of all others similarly situated, and Defendants Grubhub Inc., Uber Technologies, Inc., and Postmates, LLC (collectively, the "Defendants," and together with Plaintiffs, the "Parties"), by and through their undersigned counsel, hereby stipulate as follows:

WHEREAS, on January 24, 2023, Plaintiffs sought to modify the scheduling order (Dkt. No. 98);

WHEREAS, on January 27, 2023, Plaintiffs' request was granted (Dkt. No. 100);

WHEREAS, under the new schedule, Defendants' time to respond to Plaintiffs' expert report(s) and oppose class certification was reduced compared to the original schedule;

WHEREAS, Defendants seek a modification of the schedule to restore that time; and

WHEREAS, the Parties jointly consent to this extension;

IT IS ACCORDINGLY STIPULATED, by and between the undersigned counsel for the Parties, subject to the Court's approval, as follows:

1. All Parties agree to and propose the below, corrected modified schedule for the Court's consideration.

EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
<b>Class Certification Stage</b>		
Pre-class certification stage fact discovery cutoff	July 31, 2023	July 31, 2023
Plaintiffs' motion for class certification	July 31, 2023	July 31, 2023
Discovery cutoff regarding Plaintiffs' class certification expert report(s)	September 11, 2023	October 6, 2023
Defendants' opposition to Plaintiffs' motion for class certification	September 25, 2023	October 20, 2023
Discovery cutoff regarding Defendants' class certification expert report(s)	November 6, 2023	December 4, 2023
Plaintiffs' reply in support of their motion for class certification	November 20, 2023	December 18, 2023
Class certification hearing	December 11, 2023, or on an alternative convenient date to be determined by the Court	January 16, 2024, or on an alternative convenient date to be determined by the Court

Post-Class Certification Stage		
Defendants' motions for summary judgment	January 15, 2024	February 22, 2024
Discovery cutoff regarding Defendants' merit expert report(s)	February 5, 2024	March 20, 2024
Plaintiffs' opposition to Defendants' motions for summary judgment	February 19, 2024	April 3, 2024
Discovery cutoff regarding Plaintiffs' merit expert report(s)	March 11, 2024	April 24, 2024
Defendants' reply in support of their motions for summary judgment	March 20, 2024	May 3, 2024

The Clerk shall terminate Dkt 101. *u*

Date: February 9, 2023  
New York, NY

Respectfully submitted,

/s/ Eric S. Hochstadt

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*Counsel for Plaintiffs*

SO ORDERED:



Hon. Lewis A. Kaplan  
United States District Judge

Dated: 3/6, 2023